DOCUMENT RESUME

ED 422 701 EC 306 676

AUTHOR	Danaher, Joan
TITLE	Eligibility Policies and Practices for Young Children under Part B of IDEA.
INSTITUTION	National Early Childhood Technical Assistance System, Chapel Hill, NC.
SPONS AGENCY	Special Education Programs (ED/OSERS), Washington, DC.
PUB DATE	1998-08-00
NOTE	26p.
CONTRACT	H024A600001
AVAILABLE FROM	NEC*TAS Notes, 500 NationsBank Plaza, 137 East Franklin St., Chapel Hill, NC 27514-3628; telephone: 919-962-2001; TDD: 919-962-8300; fax: 919-966-7463; e-mail: nectas@unc.edu; World Wide Web: http://www.nectas.unc.edu/.
PUB TYPE	Collected Works - Serials (022) -- Reports - Research (143)
JOURNAL CIT	NEC*TAS Notes; n6 rev Aug 1998
EDRS PRICE	MF01/PC02 Plus Postage.
DESCRIPTORS	Admission Criteria; *Classification; Definitions; *Developmental Delays; *Disabilities; Educational Legislation; *Eligibility; Federal Legislation; Preschool Children; Preschool Education; *Special Education; *State Regulation
IDENTIFIERS	*Individuals with Disabilities Education Act Part B

ABSTRACT

This publication discusses the findings of a review of the eligibility classifications and criteria provided by the coordinators of the state and jurisdictional preschool program under the Individuals with Disabilities Education Act (IDEA). Findings revealed seven states use only IDEA, Part B disability categories to identify eligible children of any age. In one of these seven states, the criteria for some or all of the categories are modified for younger children. Examples of modification that some states use include: (1) greater latitude for multidisciplinary teams in selecting assessment instruments and procedures; and (2) different scores or quantitative criteria for young children than for older children. Twenty-three states use all the of the Part B disability categories plus an additional category or classification unique to early childhood. However, three states use the additional category only when another disability category cannot be clearly differentiated. The eligibility policies of 15 states enumerate some, but not all, of the Part B categories, plus a category specific to early childhood. Seven states do not use any of the Part B categories for young children and use a noncategorical designation exclusively. A chart illustrating the different states' policies is included. (CR)

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ISSUE NO.: 6 (REVISED) DATE: AUGUST 1998

ED 422 701

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Eligibility Policies and Practices for Young Children Under Part B of IDEA

by
Joan Danaher

The identification of young children in need of special education and related services has been an issue with advocates, service providers, parents, researchers, and policy makers for years. The enactment in 1975 of the Education for All Handicapped Children Act (P. L. 94-142) required states and jurisdictions to identify children for whom they provided special education and related services by the disability categories enumerated in the law (hereinafter referred to as Part B categories). This hard-won legislation was deemed an important civil rights act for children with disabilities, and it was important to specify just who was protected by this law.

As implementation of this legislation continued throughout the late 1970s and into the 1980s, concerns were raised in some quarters about how applicable and appropriate some of the disability categories are for very young children. The research community was, and remains, concerned that in the early years, some developmental domains are so interrelated — e.g., cognition and language — that the underlying disability is not readily determined. The requirement to identify a disability in order to provide access to services may result in inappropriate diagnoses and services. Some advocates maintain that identifying some disabling conditions in the early years creates a self-fulfilling prophecy and unfairly stigmatizes children who, with early intervention, may not continue to need special education.

In response to these concerns and to support states that had begun using noncategorical eligibility criteria for preschoolers, Congress incorporated several revisions addressing eligibility for preschoolers in subsequent reauthorizations of the law. In 1986, P. L. 99-457 — which encouraged states to serve all eligible children with disabilities from age 3 — relieved states of reporting to the U. S. Department of Education the numbers of 3- through 5-year-olds served by disability category. In 1991, P. L. 102-119 amended the law, by then renamed the Individuals with Disabilities Education Act (IDEA), to allow states, at their option, to incorporate an additional disability category for children, ages 3 through 5 years, who are experiencing developmental delays.

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EC 306676

More recently, the IDEA Amendments of 1997, P. L. 105-17, expanded the options that state and local education agencies have to identify young children with disabilities. States and locals may now apply the term developmental delay, or a term defined by the state to include children experiencing developmental delay, to 3- through 9-year-olds or a subset of this age group. The proposed rules for P. L. 105-17 charge the states with defining "experiencing developmental delay." If the state has such a definition, LEAs may choose to use that term but they may not use a locally defined term. The Part B disability categories currently included in IDEA are presented in Table 1. Table 2 presents both the current and proposed Part B regulations for disability categories.

In response to states' interest in how other states are using the disability categories, and whether and how they are using an eligibility category specific to 3- through 9-year-olds, the author, at NECTAS, analyzed the eligibility classifications and criteria provided by the coordinators of the state and jurisdictional Part B-Section 619 programs.

Table 1
Part B Disability Categories Under IDEA

SEC. 601. DEFINITIONS.

(3) CHILD WITH A DISABILITY. –

(A) IN GENERAL. — The term 'child with a disability' means a child —

(i) with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (hereinafter referred to as 'emotional disturbance'), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific
learning disabilities; and

(ii) who, by reason thereof, need special education and related services.

(B) CHILD AGED 3 THROUGH 9. -- The term 'child with a disability' for a child aged 3 through 9 may, at the discretion of the State and the local educational agency, include a child –

(i) experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development; and

(ii) who, by reason thereof, need special education and related services.

IDEA Amendments of 1997;
see 33 U.S.C. Sec. 601

The analysis revealed variations among state policies including:

- the state uses only Part B disability terms, or the state equivalent thereof;
- the state uses a state-defined disability category applicable to 3- through 9-year-olds or a subset thereof;
- the state substitutes an early childhood category for one or more Part B categories;
- the state uses a noncategorical approach to determining eligibility in lieu of any Part B categories;
- the state limits or restricts the use of the early childhood category;
- the state uses evaluation procedures or instruments for some or all disability categories that are modified with the intent of making them more appropriate for very young children.

Findings

The data presented in this report were sent to the coordinators for their review in late 1997. Updates were requested again in April 1998. The corrections and clarifications provided by the coordinators have been incorporated into this report. The results of the analysis are discussed below and are summarized in Table 3.

Seven states use only Part B disability categories to identify eligible children of any age. In one of these seven states, the criteria for some or all categories are modified for younger children. Examples of modifications that some states use include: (a) greater latitude is given to multidisciplinary teams in selecting assessment instruments and procedures; and (b) different scores or quantitative criteria are used for younger children than those used for older children.

Twenty-three states use all of the Part B disability categories plus an additional category or classification unique to early childhood. However, three states use the additional category only as a last resort, that is, when another disability category cannot be clearly differentiated. Anecdotally, many states have reported that, for most of their 3- through 5-year-olds, eligibility for preschool special education is determined using the early childhood category, and that relatively few children are identified under the other disability categories. The Part B categories remain available for identifying younger children but are seldom used. Three of these 23 states have modified the criteria used

Table 2
IDEA Regulations Related to Developmental Delay for Children Ages 3 Through 5 Years

Current Regulations [1]

Sec. 300.7 Children with disabilities.

(a)(1) As used in this part, the term "children with disabilities" means those children evaluated in accordance with Secs. 300.530-300.534 as having mental retardation, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, specific learning disabilities, deaf-blindness, or multiple disabilities, and who because of those impairments need special education and related services.

(2) The term "children with disabilities" for children aged 3 through 5 may, at a State's discretion, include children—

(i) Who are experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development; and

(ii) Who, for that reason, need special education and related services.

[1] U. S. Department of Education, 1992.

Proposed Regulations [2]

Sec. 300.7 Child with a disability.

(a) (1) As used in this part, the term child with a disability means "a child evaluated in accordance with Secs. 300.530-300.536 as having mental retardation, a hearing impairment including deafness, a speech or language impairment, a visual impairment including blindness, serious emotional disturbance (hereafter referred to as emotional disturbance), an orthopedic impairment, autism, traumatic brain injury, an other health impairment, a specific learning disability, deaf-blindness, or a multiple disability, and who because of that impairment needs special education and related services.

(2) The term child with a disability for children aged 3 through 9 may include a child—

(i) Who is experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development;

(ii) Who, for that reason, needs special education and related services; and

(iii) If the State adopts the term for children of this age range (or a subset of that range) and the LEA chooses to use the term.

Note 2: As used in paragraph (a)(2) of this section, the phrase "at the discretion of the State and LEA" means that if the State adopts the term "developmental delay" for children aged 3 through 9, or for a subset of that age range (e.g., children aged 3 through 5, etc.), LEAs that choose to use "developmental delay," rather than identify these children as being in a particular disability category, must conform to the State's definition of the term. However, a State may not require an LEA to use "developmental delay" for this age range. LEAs in a State that does not adopt the term "developmental delay" for children in this age range, or for a subset of this age range, cannot independently use "developmental delay" as a basis for establishing a child's eligibility.

Note 3: With respect to paragraph (a)(2) of this section (relating to "developmental delay"), the House Committee Report on Pub. L. 105-17 includes the following statement:

The Committee believes that, in the early years of a child's development, it is often difficult to determine the precise nature of the disability. Use of "developmental delay" as part of a unified approach will allow the special education and related services to be directly related to the child's needs and prevent locking the child into an eligibility category which may be inappropriate or incorrect, and could actually reduce later referrals of children with disabilities to special education. (H. Rep. No. 105-95, p. 86 (1997))

[2] U.S. Department of Education, 1997.

Table 3
Summary of State Early Childhood Special Education Eligibility Classifications

1. Seven (7) states use only the Part B disability categories for eligibility determination for children ages 3 through 5 years.

   CA, DC, GU, IN, MD, NE, and ND

   Modifies some or all Part B categories: NE

2. Twenty-three (23) states use all of the Part B disability categories for children ages 3 through 5 years, plus an early childhood category such as "developmentally delayed."

   AL, CO, CT, FL, GA, HI, IL, KY, ME, MI, MT, NV, NH, NM, OR, PA, RI, SD, TN[1], TX, UT, VA, and WI

   Use as last resort: MI, TX, and WI

   Modify some or all Part B categories: FL, KY, and SD

3. Fifteen (15) states use some, but not all Part B categories plus an early childhood category that subsumes the omitted Part B categories.

   AK, AZ, AR, DE, ID, LA, MN, MS, MO, NY, NC, SC, WA, WV, and WY

   Use as last resort: ID and WY

   Modify some or all remaining Part B categories:
   AR, DE, MN, MS, NC, and SC

4. Seven (7) states do not use any Part B disability categories for early childhood:

   IA, KS, MA, NJ, OH, OK, and VT

   Noncategorical for all ages: IA and MA

5. Five (5) states currently extend the early childhood eligibility category beyond age 5 (upper age limit is given in parentheses).

   ID (through age 9), IA, MA (through age 21, noncategorical for all ages), MN (through age 6), and VA (through age 7)

6. Twenty (20) states report considering or being in the process of changing their early childhood eligibility policy by extending the age to which the policy applies.

   Considering/planning extension through age 9 (7 states):

   AL, AR, GA, KS, LA, VA, and WA

   Considering/planning extension beyond age 5 (5 states):

   Through age 7 — MO and UT
   Through age 8 — IN and NM
   To third grade — DE

   Task force or study commission considering extension, age unspecified (8 states):

   AZ, IL, ME, MT, NE, NC RI, and SD

7. Seven (7) states are adopting or considering adopting other eligibility-related policy changes.

   CT — considering repealing state statutes and regulations and replacing them with language of federal statute and regulations
   KS — considering change from 1.5 SD to include alternative kinds of assessment
   MD — now uses Part B categories; field testing developmental delay criteria for 3 through 5
   MT — task force to consider category (and extension)
   OH — assessment methods
   PA — revision in criteria for ages 3 through 5 has been proposed
   TN — definition of developmental delay

[1] The TN policy predates P.L. 102-119. Its current definition is used for state funding only. A new definition is under development.

for some or all the Part B disability categories to make the criteria more appropriate for young children.

The eligibility policies of 15 states enumerate some, but not all, of the Part B categories, plus a category specific to early childhood. The criteria for the omitted Part B disability categories are subsumed within the criteria for the early childhood category. For example, a given state's definition and criteria for "developmental delay," for example, includes cognitive, physical, and social or emotional delays. Therefore, the state may choose not to use the Part B categories "mental retardation," "emotional disturbance," or "orthopedic impairment." The most frequently omitted categories are specific learning disabilities (omitted in 15 states), mental retardation (omitted in 11 states), and emotional disturbance (omitted in 10 states). Two states use the early childhood category only when a child does not qualify in other categories. Six states modify the definitions or criteria for preschoolers for the remaining Part B disability categories used. Several states stipulate that children must meet the eligibility criteria for one of the Part B categories in order to be eligible under the early childhood disability category.

The disability category of specific learning disabilities (SLD) presents unique concerns. Many professionals believe that SLD is, by definition, a school-age disability and not applicable to very young children (Office of Education, 1977; see 34 CFR 300.7(b)(10)). Some advocates, on the other hand, argue that young children who will later be identified as SLD may not be included in the eligible population. It is clear that the precursors of SLD need more study. Once reliable measures of behaviors that are indicative of later SLD diagnoses are available, they should be incorporated into states' eligibility criteria for preschoolers.

Seven states do not use any of the Part B categories for young children. They use a noncategorical designation exclusively. Two states use noncategorical eligibility criteria for all ages. States' policies are periodically reviewed and revised. Of particular interest is the degree to which states are extending or considering extending the age range to which their early childhood disability categories (e.g., developmental delay) apply. As reported by the state coordinators in April 1998, twenty states are considering or are in the process of extension. Table 3 includes what is currently known about state plans to consider extension and other eligibility policy changes.

Criteria for Early Childhood Eligibility Classifications

In addition to determining how states classify young children with disabilities, the NECTAS analysis also examined the type of criteria associated with the early childhood classifications (i.e., how disability is determined). These criteria range widely, including both quantitative and qualitative types of criteria.

Quantitative criteria are those expressed in scores of some type or based on discrepancies in developmental versus chronological age. For states using standard deviations (SD) below the mean, the range is from 1.0 SD to 3.0 SD below the mean in one developmental area; and from 1.0 SD to 2.0 SD below the mean in two or more areas. The two most frequently employed criteria based on SD scores are: (a) 2.0 SD in one developmental area (20 states), and (b) 1.5 SD in two or more developmental areas (22 states). Among states using a criterion of delay expressed as a percentage of chronological age, the range is 10% to 50% delay in one developmental area, or 15% to 25% delay in two developmental areas. Four states use percentile scores ranging from 1%ile to 7%ile. Two states use a "months delay" criterion. Three states suggest quantitative criteria are to be used (i.e., "measurable development impairment," "significant delay") but do not specify a particular level of delay. In four other states children who meet the criteria of any Part B disability category are eligible under the early childhood category. A summary of the quantitative criteria most frequently used by states for their early childhood classification is offered in Figure 1.

Twelve states use qualitative criteria, including professional judgment or informed clinical opinion, as an alternative to quantitative criteria or as the sole criterion for eligibility under the early childhood category. Nine states include diagnosed conditions associated with a high probability of disability as an alternative or sole criterion for eligibility under the early childhood category.

Table 4 (presented at the end of this paper) summarizes the early childhood eligibility criteria under Part B of IDEA in the each state, the District of Columbia, and Guam (N=52). The data presented in the table include the early childhood classification and the criteria used; the age range to which the classification applies; notes on the use of Part B categories, including whether they are used, are omitted, or modify criteria for younger children; and information on states' plans for revising their eligibility criteria. This table was reviewed by state preschool special education coordinators in late 1997, and additional udpates were received and incorporated in April 1998.

Conclusion

States have exhibited a strong interest in using the option of a developmental delay eligibility category for young children served by IDEA. Further, their policies and practices evidence a desire to use research and effective practice data in formulating these policies. Future changes in state eligibility policies may reflect several new provisions related to eligibility policies and practices that are contained in the regulations proposed by the Department of Education to implement the IDEA Amendments of 1997 (U. S. Department of Education, 1997). These provisions require that:

- a variety of assessment tools and strategies, including information from parents, be used to gather relevant functional and developmental information to assist in determining eligibility (see Sec. 300.532, Evaluation procedures);
- a team of qualified professionals and the parent(s) of the child be involved in the eligibility decision (see Sec. 300.534, Determination of eligibility); and
- the IEP team for each eligible child include the parents of the child (see Sec. 300.344, IEP team).

NECTAS will continue to monitor the evolution of states' special education eligibility policies for young children and will make this information available to states and other interested parties. Please address your updates, questions, or clarifications to the author at NECTAS.

About the Author

Joan Danaher is Associate Director of NECTAS. Her research interests include eligibility and information management.

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U. S. Department of Education. (1997, October 22). 34 CFR Parts 300, 301, and 303. Assistance to states for the education of children with disabilities, preschool grants for children with disabilities, and early intervention program for infants and toddlers with disabilities; Proposed rule. *Federal Register, 62*(204), 55025-55135.

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Conclusion

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Table 4

Summary Chart of Early Childhood Special Education Eligibility Criteria in the States, District of Columbia, and Guam as of April 1998

State	Early Childhood Specific Category/Classification and Criteria [1]	Age Range for Preschool Category	Use of Part B Categories (Use, Modify, Omit) [2]	Changes Under Consideration [3]
AL	"Developmentally delayed": 2 SD or 30% delay in one area 1.5 SD or 25% delay in two areas	3 through 5	*Use:* All	Considering extending category through age 9 with revised criteria for ages 3 through 9.
AK	"Developmentally delayed": 2 SD or 25% delay in one area 1.7 SD or 20% delay in two areas	3 through 5	*Omit:* Learning disabled *Use:* All Others	
AZ	"Preschool moderately delayed": 1.5 SD in two areas "Preschool severely delayed": More than 3 SD in one area "Preschool speech/language delayed": 1.5 SD *plus* Parent input, comprehensive developmental assessment and preponderance of information	3 to "required age for kindergarten"	*Use:* Hearing, vision impairment *Omit:* All Others	Forming a study committee to investigate the programmatic and fiscal impact of any extension.
AR	"Preschool delayed": 2 SD in one area 1.5 SD in two areas	3 through 5	*Modify:* Speech/language; orthopedic, vision, hearing, multiple, or other health impairments; autism; traumatic brain injury; multiple disabilities *Omit:* Mental retardation, emotional disturbance, learning disability	Considering extending category through age 9.
CA	None; However, "established medical disability" is also used	N/A	*Use:* All	

1 Criteria for early childhood-specific eligibility categories typically reference a child's status in one or more developmental areas. The term "area" in this column refers to developmental area. Although states vary somewhat, most list five areas (or some variation thereof): cognitive, language, physical, psychosocial, and self-help. SD refers to standard deviations below the mean on a norm-referenced standardized instrument.

2 Part B categories not specifically listed in this column are assumed to be used by the state, unless noted. State-specific variations of terminology for disability categories are listed.
Use = As per criteria for school age.
Modify = Definition or criteria modified for preschoolers to make it more age appropriate than that for school-age students. The state's terminology is used for any categories listed as modified.
Omit = These categories not used for early childhood because children with these disabilities are assumed to be included in the preschool-specific categories.

3 References to "extending" refer to the states' option to use the disability category, "developmental delay," or other term chosen by the state, to determine eligibility for children through age 9.

Table 4, *continued*

State	Early Childhood Specific Category/Classification and Criteria [1]	Age Range for Preschool Category	Use of Part B Categories (Use, Modify, Omit) [2]	Changes Under Consideration [3]
CO	"Preschool child with a disability": 1.5 SD in one area or 7%ile or standard score of 76 *or* Has identifiable condition known to be associated with significant delays in development *or* Informed opinion of assessment team with written documentation	3 through 5	*Use:* All	
CT	"Preschool children requiring special education": Professional judgment based on evaluation and assessment information	3 through 5	*Use:* All	Considering repeal of state statutes and regulations and replacing them with federal statutes and regulations (P.L. 105-17).
DE	"Developmental delay" — 3-year-olds only (categorical for 4-year-olds): 1.75 SD or 25% in one area *or* Clinical judgment	3 only	For 3-year-olds: *Use:* Autism, deaf-blindness, hearing impairment, severe and trainable mental handicap, physical impairment, visual impairment *Modify:* Speech/language *Omit:* Learning disability, emotional disturbance, educational mental handicap For 4-year-olds: *Modify:* Speech/language *Use:* All others	Considering extending category through second grade.
DC	None	N/A	*Use:* All	
FL	"Developmentally delayed": 2 SD or 25% delay in one area 1.5 SD or 20% delay in two areas *or* Informed clinical opinion	3 through 5	*Modify:* Speech/language, learning disabled, deaf or hard of hearing, visually impaired, dual sensory impaired *Use:* All others	

1 Criteria for early childhood-specific eligibility categories typically reference a child's status in one or more developmental areas. The term "area" in this column refers to developmental area. Although states vary somewhat, most list five areas (or some variation thereof): cognitive, language, physical, psychosocial, and self-help. SD refers to standard deviations below the mean on a norm-referenced standardized instrument.

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Table 4, *continued*

State	Early Childhood Specific Category/Classification and Criteria [1]	Age Range for Preschool Category	Use of Part B Categories (Use, Modify, Omit) [2]	Changes Under Consideration [3]
GA	"Significantly developmentally delayed": 2 SD in one area 1.5 SD in two areas	3 through 5	*Use:* All	Proposing extending category through age 9. Considering different criteria for ages 3 through 5 (2 SD in one area and 1.5 SD in two areas) and ages 6 through 9 (2 SD in one area). Additionally, children must be eligible and have an IEP by their 7th birthday to use "significantly developmentally delayed" category.
GU	None	N/A	*Use:* All	
HI	"Early childhood learning impairment": 1.5 SD in one area	3 through 5	*Use:* All	
ID	"Developmental delay": Used when other disability categories don't apply 2 SD or 30% delay in age equivalency or function at less than the third percentile in one area 1.5 SD or 25% delay in age equivalency or function at less than the seventh percentile in two or more areas	3 through 9	*Omit:* Learning disabled (for 3 through 5) *Use:* All others	Ages 3 through 9 (in effect as of September 1, 1997).
IL	"Developmentally delayed": Meet the criteria of one or more of the other disability categories and are experiencing delay in at least one area	3 through 5	*Use:* All	Considering extending category.
IN	None	N/A	*Use:* All	Considering developmental delay category for ages 3 through 8.

1 Criteria for early childhood-specific eligibility categories typically reference a child's status in one or more developmental areas. The term "area" in this column refers to developmental area. Although states vary somewhat, most list five areas (or some variation thereof): cognitive, language, physical, psychosocial, and self-help. SD refers to standard deviations below the mean on a norm-referenced standardized instrument.

2 Part B categories not specifically listed in this column are assumed to be used by the state, unless noted.
Use = As per criteria for school age.
Modify = Definition or criteria modified for preschoolers to make it more age appropriate than that for school-age students. The state's terminology is used for any categories listed as modified.
Omit = These categories not used for early childhood because children with these disabilities are assumed to be included in the preschool-specific categories.

3 References to "extending" refer to the states' option to use the disability category, "developmental delay," or other term chosen by the state, to determine eligibility for children through age 9.

Table 4, *continued*

State	Early Childhood Specific Category/Classification and Criteria [1]	Age Range for Preschool Category	Use of Part B Categories (Use, Modify, Omit) [2]	Changes Under Consideration [3]
IA	"Eligible individual determined by general education interventions and a full and individual evaluation"	Birth through 21	*Use:* Noncategorical	
KS	"Eligibility for early childhood special education": 1.5 SD in one area *or* Diagnosed conditions *or* Professional judgment	3 through 5	*Use:* None	Considering extending category through age 9. Considering eliminating 1.5 SD and replacing with other language to include alternative kinds of assessment information for determining eligibility.
KY	"Developmental delay": 2 SD in one area 1.5 SD in two areas *or* Professional judgment of atypical development if normed scores are inconclusive and there is written documentation	3 through 5	*Modify:* All (also note that categories include diagnosed conditions)	Not at this time.
LA	"Noncategorical preschool": "Mild/moderate or severe/profound functional impairment in a developmental area"	3 through 5	*Use:* Severe sensorial impairment, severe physical impairment, severe language disordered, autism; speech impaired may be used instead of noncategorical preschool *Omit:* Mental disability, emotional disturbance, learning disability	Will extend developmental delay through age 9. A committee will determine criteria. Considering different criteria for ages 3 through 5 and ages 6 through 9.
ME	"Developmental delay": 2 SD or 25% delay in one area 1.5 SD or 15% delay in two areas *or* 1 SD or 10% delay in one area, plus established biological risk factors	Birth through 5	*Use:* All	Considering extending category.

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Modify = Definition or criteria modified for preschoolers to make it more age appropriate than that for school-age students. The state's terminology is used for any categories listed as modified.
Omit = These categories not used for early childhood because children with these disabilities are assumed to be included in the preschool-specific categories.

3 References to "extending" refer to the states' option to use the disability category, "developmental delay," or other term chosen by the state, to determine eligibility for children through age 9.

Table 4, *continued*

State	Early Childhood Specific Category/Classification and Criteria [1]	Age Range for Preschool Category	Use of Part B Categories (Use, Modify, Omit) [2]	Changes Under Consideration [3]
MD	None	N/A	*Use:* All	Currently field testing a "developmental delay" category for ages 3 through 5.
MA	"Child in need of special education": Professional judgment	3 through 21	*Use:* Noncategorical	
MI	"Preprimary impaired": 50% delay in one area (use only if one of the categories is not clearly differentiated)	3 through 5	*Use:* All	
MN	"Eligible for early childhood special education": Meets criteria of the Part B disability categories *or* 1.5 SD in two areas *or* Medically diagnosed condition *or* Professional judgment (i.e., team override) *and* Child in need of special education	3 through 6	*Modify:* Speech / language impairments; emotional behavior disorders *Omit:* All others	
MS	"Developmental delay": 1.5 SD or 25% delay in two areas *or* Diagnosed condition	3 through 5	*Use:* Vision, hearing impaired, deaf-blind, autistic *Modify:* Speech/language impaired *Omit:* Learning disabled, mentally retarded, multiple handicapped, physically handicapped, emotionally disturbed	
MO	"Eligible for early childhood special education": 2 SD or equivalent levels in one area 1.5 SD or equivalent levels in two areas *or* Professional judgment	3 through 4 and 5-year-olds who are not kindergarten eligible	*Use:* Speech impaired, vision and hearing impaired *Omit:* All others	Planning to extend through age 7.

1 Although states vary somewhat, most list five areas (or some variation thereof): cognitive, language, physical, psychosocial, and self-help. SD refers to standard deviations below the mean on a norm-referenced standardized instrument.

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Use = As per criteria for school age.
Modify = Definition or criteria modified for preschoolers to make it more age appropriate than that for school-age students. The state's terminology is used for any categories listed as modified.
Omit = These categories not used for early childhood because children with these disabilities are assumed to be included in the preschool-specific categories.

3 References to "extending" refer to the states' option to use the disability category, "developmental delay," or other term chosen by the state, to determine eligibility for children through age 9.

Table 4, *continued*

State	Early Childhood Specific Category/Classification and Criteria [1]	Age Range for Preschool Category	Use of Part B Categories (Use, Modify, Omit) [2]	Changes Under Consideration [3]
MT	"Child with disabilities experiences a severe delay in development": 2 SD in one area 1.5 SD in two areas	3 through 5	*Use:* All	Has convened a task force to consider a developmental delay category and an age range.
NE	None	3 through 4	*Modify:* Behavior disorder, speech/ language, hearing or vision impairments, mentally handicapped *Use:* All others	State committee to consider changes convening in May 1998, and has a 6-month timeline.
NV	"Developmentally delayed": 2 SD in one area 1 SD in two areas	3 until age 6 on or before 9/30 of current school year	*Use:* All	
NH	"Developmental delay": Has impairment in development and has been determined to have one of the other educationally disabling conditions	3 through 5	*Use:* All	
NJ	"Preschool handicapped": Identified handicapping condition or measurable developmental impairment	3 through 5	*Use:* None	
NM	"Preschool children with disabilities": Significant delay in one or more areas	3 through 4	*Use:* All	Considering extending category through age 8.
NY	"Preschool student with a disability": 2 SD or 33% delay in one area 1.5 SD or 25% delay in two areas *or* 12-month delay in one or more areas	3 through 4	*Use:* Autistic, deaf, deaf-blind, hard of hearing, orthopedically impaired, other health impaired, traumatic brain-injured, visually impaired *Omit:* Mentally retarded, multihandicapped, seriously emotionally disturbed, specific learning disability, speech impaired	

4 Criteria for early childhood-specific eligibility categories typically reference a child's status in one or more developmental areas. The term "area" in this column refers to developmental area. Although states vary somewhat, most list five areas (or some variation thereof): cognitive, language, physical, psychosocial, and self-help. SD refers to standard deviations below the mean on a norm-referenced standardized instrument.

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Omit = These categories not used for early childhood because children with these disabilities are assumed to be included in the preschool-specific categories.

6 References to "extending" refer to the states' option to use the disability category, "developmental delay," or other term chosen by the state, to determine eligibility for children through age 9.

Table 4, *continued*

State	Early Childhood Specific Category/Classification and Criteria [1]	Age Range for Preschool Category	Use of Part B Categories (Use, Modify, Omit) [2]	Changes Under Consideration [3]
NC	"Preschool delayed / atypical": 2 SD or 30% delay in one area 1.5 SD or 25% delay in two areas- delayed or atypical development *or* Informed clinical opinion and appropriate assessment measures- delayed or atypical behavior	3 through 5	*Use:* Orthopedically impaired, hearing impaired, other health impaired, deaf-blind, autistic *Modify:* speech-language impaired, traumatic brain injured, visually impaired *Omit:* Behaviorally-emotionally handicapped; mentally handicapped; multihandicapped; specific learning disabled	Considering extending category. Forming a task force to look at the issue during the coming school year.
ND	None	N/A	*Use:* All	
OH	"Preschool child with a disability": 2 SD in one area 1.5 SD in two areas *or* "Documented deficit in vision or hearing"	3 to compulsory school age	*Use:* None	Informed clinical opinion and appropriate assessment methods.
OK	"Developmentally delayed": 2 SD or 50% in one area 1.5 SD or 25% delay in two areas	3 through 5	*Use:* None	
OR	"Eligible for early childhood special education": 1.5 SD in two areas	3 to age of eligibility for kindergarten	*Use:* All	None
PA	"Developmental delay": 1.5 SD or 25% delay in one area	3 to "age of beginners"	*Use:* All	Considering changing criteria to: 33% delay in one area 25% delay in two areas.
RI	"Developmental delay": 2 SD or 25% delay in one area 1.5 SD in two areas *or* Diagnosed condition	3 through 5	*Use:* All	Considering extending category.

1. Criteria for early childhood-specific eligibility categories typically reference a child's status in one or more developmental areas. The term "area" in this column refers to developmental area. Although states vary somewhat, most list five areas (or some variation thereof): cognitive, language, physical, psychosocial, and self-help. SD refers to standard deviations below the mean on a norm-referenced standardized instrument.
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3. References to "extending" refer to the states' option to use the disability category, "developmental delay," or other term chosen by the state, to determine eligibility for children through age 9.

Table 4, *continued*

State	Early Childhood Specific Category/Classification and Criteria [1]	Age Range for Preschool Category	Use of Part B Categories (Use, Modify, Omit) [2]	Changes Under Consideration [3]
SC	"Preschool children with disabilities": 2 SD in one area 1.5 SD in two areas *or* IQ 25-50 +/- standard error, consistent subnormal interest performance, disability not result of behavior disorder, cultural or educational deprivation, adaptive behavior consistent with cognitive ability *or* IQ below 25, severe impairment in all areas evaluated	3 through 5	*Modify:* Speech/language, other health impaired, sensory impaired, orthopedically impaired *Omit:* Learning disabled, mentally retarded, emotionally disturbed, multiply impaired, traumatic brain injured, autistic	None
SD	"Developmental delay": 2 SD in one area 1.5 SD in two areas	3 through 5	*Modify:* Speech/language *Use:* All others	Has surveyed professionals and parents. A review panel will present recommendations to state special education advisory panel.
TN	"Developmental delay": 1.5 SD or 6%ile in four (of seven listed) areas for prekindergarten 1.5 SD or 6%ile in five (of nine listed) areas for K or 1st grade	3 until the end of school year in which child has reached age 7 years 0 months	*Use:* All	Policy predates P.L. 102-119. Definition used for state funding only. A new definition is under development.
TX	"Non-categorical early childhood": May be used when a child meets criteria for learning disabled, mentally retarded, emotionally disturbed, and/or autism	3 through 5	*Use:* All	
UT	"Preschool handicapped": 2.5 SD or 1%ile or below in one area 2 SD or 2%ile or below in two areas 1.5 SD or 7%ile or below in three areas *or* Hearing or vision impairment as defined in state rule	3 through 5	*Use:* All	Will be extending category through age 7. Criteria now under consideration.

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3 References to "extending" refer to the states' option to use the disability category, "developmental delay," or other term chosen by the state, to determine eligibility for children through age 9.

Table 4, *continued*

State	Early Childhood Specific Category/Classification and Criteria [1]	Age Range for Preschool Category	Use of Part B Categories (Use, Modify, Omit) [2]	Changes Under Consideration [3]
VT	"Eligible for essential early education": 18 month delay for ages 3 through 5 24 month delay for ages 5 to 6 *or* Medical condition that may result in significant delays	3 through 5	*Use:* None	No plans to extend category at this time.
VA	"Developmental delay": "Significant delay" in one or more areas (local standards used, 25% delay per anecdotal reports)	3 through 7	*Use:* All	LEAs will likely have option to extend category through age 9.
WA	"Developmental delay": Child meets criteria for developmental delay — 2 SD in one area 1.5 SD in two areas *or* Eligible for Part B categories other than learning disabled, emotionally disturbed, mentally retarded	3 through 5	*Omit:* Learning disabled, mentally retarded, emotionally disturbed *Use:* All others	Considering extending category through age 9. Task force meeting May 1998.
WV	"Eligible preschool children": 25% delay in two areas	3 through 5	*Omit:* Learning disabled *Use:* All others	
WI	"Significant developmental delay": 1.5 SD in two areas or equivalent score Other suspected handicapping conditions shall be considered	3 through 5 *or* below compulsory school age	*Modify:* Cognitively disabled, learning disabled *Use:* All others	Category in use since July 1997. No plans to change at this time.
WY	"Developmental disability": Child does not qualify in other categories 2 SD in one area 1.5 SD in two areas	3 to enrollment in a public school program	*Omit:* Learning disabled *Use:* All others	

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